

Senate File 439 - Introduced

SENATE FILE 439

BY BOUSSELOT

A BILL FOR

1 An Act relating to the licensure of internationally trained
2 physicians and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 148I.1 Definitions.

2 For the purposes of this chapter:

3 1. "*Board*" means the board of medicine established pursuant
4 to chapter 147.

5 2. "*Health care facility*" means all of the following:

6 a. A facility as defined in section 514J.102.

7 b. A facility licensed pursuant to chapter 135B.

8 c. A facility licensed pursuant to chapter 135C.

9 3. "*International medical graduate*" means an individual who
10 meets all of the following requirements:

11 a. Has a medical doctorate or substantially similar degree
12 issued by an international medical program in good standing.

13 b. Is in good standing with the medical licensing or
14 regulatory institution of the individual's resident country.

15 c. Has completed a residency or substantially similar
16 post-graduate medical training in the individual's resident
17 country or has practiced as a medical professional performing
18 medicine and surgery or osteopathic medicine and surgery for
19 at least two years.

20 d. Possesses basic fluency in the English language.

21 4. "*International medical program*" means a medical school,
22 residency program, medical internship program, or entity that
23 provides physicians with a medical education or training
24 outside of the United States that is substantially similar to
25 the practice of medicine and surgery or osteopathic medicine
26 and surgery in Iowa.

27 Sec. 2. NEW SECTION. 148I.2 Licensure of international
28 medical graduates.

29 1. The board shall a grant a license to practice medicine
30 and surgery or osteopathic medicine and surgery in this state
31 to an international medical graduate who is a resident of and
32 licensed to practice in any of the following countries:

33 a. Australia.

34 b. Canada.

35 c. Hong Kong.

1 *d.* Ireland.

2 *e.* Israel.

3 *f.* New Zealand.

4 *g.* Singapore.

5 *h.* South Africa.

6 *i.* Switzerland.

7 *j.* The United Kingdom.

8 *k.* Additional countries as determined by the board by rule.

9 2. An international medical graduate holding a medical
10 degree from an international medical program accredited
11 pursuant to section 148I.3 shall be granted a license to
12 practice medicine and surgery or osteopathic medicine and
13 surgery in this state without meeting additional training or
14 residency requirements. However, the board shall not grant a
15 license pursuant to this subsection to an international medical
16 graduate who does not possess a federal immigration status
17 allowing the international medical graduate to practice as a
18 physician in the United States.

19 Sec. 3. NEW SECTION. 148I.3 **Accreditation of international**
20 **medical programs.**

21 1. The board shall adopt rules pursuant to chapter 17A
22 to allow an international medical program to apply for
23 accreditation with the board.

24 2. The board shall grant an application pursuant to
25 subsection 1 within one hundred twenty days of receiving the
26 application unless the board finds by clear and compelling
27 evidence that a majority of the international medical program's
28 graduates are not likely to provide medical services that
29 satisfy this state's medical safety, competence, or conduct
30 standards. An international medical program may appeal a
31 denial pursuant to this subsection in a court of competent
32 jurisdiction within one hundred twenty days of the denial.

33 3. The board shall grant accreditation pursuant to this
34 section, to an international medical program that has granted
35 a medical degree to five international medical graduates who

1 later received a permanent license to practice medicine and
2 surgery or osteopathic medicine and surgery pursuant to section
3 148I.4, subsection 1, paragraph "b".

4 4. The board shall post a complete list of accredited
5 international medical programs on the internet site of the
6 board.

7 Sec. 4. NEW SECTION. 148I.4 International medical graduates
8 — provisional licenses.

9 1. a. The board shall grant a provisional license to
10 practice medicine and surgery or osteopathic medicine and
11 surgery in this state to an international medical graduate
12 with an offer for employment as a physician at a health care
13 facility in this state. However, the board shall not grant a
14 license pursuant to this subsection to an international medical
15 graduate who does not possess a federal immigration status
16 allowing the international medical graduate to practice as a
17 physician in the United States.

18 b. A provisional license granted pursuant to paragraph "a"
19 shall be converted to a full license to practice medicine and
20 surgery or osteopathic medicine and surgery after one year
21 unless the license has been revoked pursuant to subsection 2
22 or surrendered by the licensee.

23 2. The board may revoke a provisional license granted
24 pursuant to subsection 1, paragraph "a", if the board finds by
25 clear and compelling evidence that the licensee has violated
26 a provision of section 148.6. A licensee may appeal a
27 revocation pursuant to this subsection in a court of competent
28 jurisdiction within one hundred twenty days of the revocation.

29 Sec. 5. EFFECTIVE DATE. This Act takes effect January 1,
30 2024.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill relates to the licensure of international
35 medical graduates in Iowa. The bill defines "international

1 medical graduate" as a person who holds a medical doctorate or
2 substantially similar degree issued by an international medical
3 program, is in good standing with the medical regulatory body
4 of the person's country of residence, has completed a residency
5 or similar post-graduate education program, and has a basic
6 fluency in English. The bill defines "international medical
7 program" as a medical training program or entity that provides
8 physicians with a medical education or training outside of the
9 United States that is substantially similar to the practice of
10 medicine and surgery or osteopathic medicine and surgery in
11 Iowa.

12 The bill requires the board of medicine to grant a license
13 to practice medicine and surgery or osteopathic medicine
14 and surgery to an international medical graduate who is a
15 resident of and licensed to practice in a country listed in
16 the bill. An international medical graduate holding a medical
17 degree from an international medical program shall be allowed
18 to practice medicine and surgery or osteopathic medicine
19 and surgery in Iowa without meeting additional training or
20 residency requirements, provided that the person has a federal
21 immigration status allowing the person to practice as a
22 physician in the United States. The bill allows the board of
23 medicine to expand the list by rule.

24 The bill requires the board of medicine to adopt rules
25 to allow an international medical program to apply for
26 accreditation by the board. The board shall grant an
27 application within 120 days of receiving an application
28 unless the board finds by clear and compelling evidence that
29 a majority of the international medical program's graduates
30 are not likely to provide medical services that satisfy this
31 state's medical safety, competence, or conduct standards. A
32 denial of accreditation may be appealed to a court of competent
33 jurisdiction. An international medical program that produces
34 five graduates who later receive full licenses pursuant to this
35 provision shall become an accredited international medical

1 program.

2 The bill requires the board of medicine to issue a
3 provisional license to practice medicine and surgery or
4 osteopathic medicine and surgery in Iowa to an international
5 medical graduate who has an offer for employment as a physician
6 with a health care facility in this state, defined in the
7 bill. The board may revoke a provisional license if the board
8 finds by clear and compelling evidence that the licensee has
9 engaged in conduct for which a licensee in medicine and surgery
10 or osteopathic medicine and surgery may be disciplined. If
11 a provisional license is not revoked or surrendered, the
12 provisional license shall be converted to a full license after
13 one year.

14 The bill takes effect January 1, 2024.